

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13
MICHAEL J MCCRYSTAL, :
Debtor : No. 19-16964

**MOTION FOR RELIEF FROM
AUTOMATIC STAY PURSUANT TO §362(d)**

AND NOW here comes the Creditor/Movant, Madonna McCrystal, by and through her attorney David B. Schwartz, Esquire, who believes and therefore avers the following:

1. Creditor/Movant is Madonna McCrystal.
2. Debtor/Respondent is Movant's husband Michael J. McCrystal.
3. At the time Debtor filed the within case, there was pending in state court Debtor's Complaint for Divorce, Madonna McCrystal vs. Michael J. McCrystal which was filed in Lehigh County Court of Common Pleas to No. 2018-FC-0778 on June 18, 2018.

4. Creditor believes and therefore avers that the divorce case must be resumed and the issues of divorce and property resolved.

5. Debtor filed the instant Chapter 13 case on November 5, 2019.

6. Movant is entitled to Relief from the Stay for cause under 11 U.S.C.

Section 362(d) to resolve issues of equitable distribution, support, attorney and counsel fees.

Movant avers that a delay of five years will unduly harm Movant's position, and have little or no effect on Debtor's bankruptcy case.

7. Movant believes, and therefore avers, that Debtor consents to this Motion.

WHEREFORE, Creditor/Movant prays this Honorable Court grant her request for relief to continue with the divorce case in Lehigh County, Pennsylvania.

Date: April 28, 2020

/s/ David B. Schwartz, Esquire
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